

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-CV-23841-ALTONAGA

ANA ELVIRA GUILARTE TANTAU,

Plaintiff,

v.

PURE ORGANIC NAIL SALON &  
SPA, INC. AND FRANCHESKA  
CANDELARIO,

Defendants.

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**DEFENDANT'S MOTION FOR EXTENSION  
OF SETTLEMENT CONFERENCE**

Defendants, Pure Organic Nail Salon & Spa, Inc., and Francheska Candelario, by and through their undersigned counsel, along with Plaintiff, Ana Elvira Guilarte Tantau, who does not oppose this motion, request a thirty (30) day extension of time to conduct the Settlement Conference, and states as follows:

1. On November 23, 2022, This Honorable Court issued an Order referring this matter to Magistrate Judge Melissa Damian to conduct a Settlement Conference. [ECF No. 4].
2. Pursuant to the Order, the settlement conference is to occur by January 27, 2023. *See* [ECF No. 4].
3. The parties just received an email from Magistrate Judge Damian's chambers requesting confirmation that the settlement conference can be held on Wednesday,

January 25, 2023.<sup>1</sup>

4. However, the parties had need for an extension of the settlement conference deadline prior to receiving the email, which was sent right before this motion was to be filed.
5. Undersigned counsel is in need of an extension beyond the January 27, 2023 deadline due to numerous scheduling conflicts, including the need to prepare for trial in Case No. 1:21-cv-23556-Bloom, *Monzon Cejas v. Downrite Engineering Corp.*, which is set for trial on January 30, 2023, and has a calendar call date of January 24, 2023.
6. Trial in this case is currently set for September 11, 2023, the discovery deadline is May 15, 2023 and the deadline to file all motions is May 30, 2023.
7. In addition, the parties have actively been involved in negotiations that may preclude the need for a settlement conference.
8. Therefore, undersigned counsel requests a 30-day extension of time to conduct the settlement conference in this case.
9. This Motion is being made in good faith and not for purposes of delay, and neither party will be prejudiced by the Court's granting the extensions sought.
10. A proposed order granting this motion is attached as Exhibit A.

*[Certificate on following page]*

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<sup>1</sup> The email was sent by Olivia Castillo, Judicial Law Clerk to the Honorable Melissa Damian, at 10:58am on Janaury18, 2023.

**CERTIFICATE OF CONFERRAL**

Pursuant to S.D. Fla. L.R. 7.1, I hereby certify that I contacted Defendant's counsel, Nathaly Saavedra, via email January 18, 2023, regarding the relief requested in this Motion. Ms. Saavedra confirmed that Plaintiff does not oppose the relief sought herein.

Respectfully Submitted,

/s/Toussaint Cummings, Esq.  
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